

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

VINCENT DANIEL HOPPER,

Plaintiff,

v.

LORETTA MARTIN *et al.*,

Defendants.

Case No. C06-5085RBL

ORDER ADOPTING
REPORT AND
RECOMMENDATION

The Court, having reviewed Plaintiff's Response to the order to show cause, the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) The court considers plaintiff's response as a notice of dismissal pursuant to Fed. R. Civ. P. 41 (a). This action is **DISMISSED WITHOUT PREJUDICE**. Plaintiff must still pay the filing fee in this case.
- (3) The Clerk is directed to send copies of this Order to plaintiff, and to the Hon.J. Kelley Arnold.

DATED this 17th day of May, 2006.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE